

Appl. No. 10/810,296

Art Unit: 1631

ifw

Appl. No.: 10/810,296

Filed: March 27, 2004

Applicant/Inventor: Xing F. Wang, 16 Palm ST., Worcester, MA 01604-3844,

TEL: (774)-239-3884, Fax: (508)-831-0592

April 4, 2008

Primary Examiner Dr. Lori A. Clow

Art Unit: 1631, Technical Center 1600,

Commissioner for Patents, USPTO,

P.O. Box 1450, Alexandria VA 22313-1450.

Dear Primary Examiner Dr. Lori,

Please find the enclosed Facsimile Transmission Cover Sheet of March 31, 2008. I have not received the fax as indicated in the Cover Sheet, resulting in the claim of the US patent application (Appl. No.: 10/810,296) not being changed or amended according to the fax.

Based on the enclosed *Office Action Summary* issued by Primary Examiner Dr. John S. Brusca on February 20, 2007, the examiner has acknowledged that the claims 1-10 are allowed; this application is in condition for allowance except for the following formal matters: Each of claims 11-18 is in improper multiple dependent form; the rejection of claims 1-18 under 35 U.S.C 101 has been withdrawn; and prosecution on the merits is closed in accordance with the practice under *Ex part Quayle*, 1935 C.D. 11, 453 O.G. 213. The improper multiple dependent form of claims 11-18 has been amended according to the enclosed *Interview Summary* issued by Primary Examiner Dr. Lori A. Clow on

August 20, 2007, wherein all dependent claims only reference or depend from one claim and the text of claim of the application is unchanged. The claim of the application is allowed after several words in claim 1 have been changed according to the Fax issued by Primary Examiner Dr. Lori A. Clow on December 5, 2007. Some words have been added into claim 2 according to the enclosed *Interview Summary* issued by Examiner Mr. Jason M. Sims on December 27, 2007, leading to the application in better condition for allowance. Based above several office actions, it is unnecessary to amend further the claim of the application after the text and form of the claim have been allowed by the two primary examiners of USPTO. Most nation patent offices including the International Bureau of international application do not allow further amendment to the claim once it is accepted by the examiner.

The US application has been over 4 years since filed March 27, 2004. The application as an international application has entered the examining stage in PCT national phases including EP, AU, CA, CN, JP, RU, IN, etc. I sincerely appreciate it if the notice of allowance is issued in this case soon.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Xing F. Wang', with a stylized flourish at the end.

Xing F. Wang, Ph.D.

Encl.: Fax cover sheet of 03/31/2008 (1 sheet), *Office Action Summary* of 02/20/2007 (3 sheets), *Interview Summary* of 08/20/2007(1 sheet), and *Interview Summary* of 12/27/2007 (1 sheet).



FACSIMILE TRANSMISSION COVER SHEET

APPLICATION/CONTROL NUMBER: 10/810,296

Filed Date: March 27, 2004

DATE: March 31, 2008

TO: Technical Center 1600 via the Central PTO Fax Center, Fax: (571)-273-8300,

Examiner: Mr. Jason M. Sims, Art Unit: 1631,

TEL: (571)-272-7540, Fax: (571)-273-7540.

FROM: Xing F. Wang, Applicant/Inventor

TEL: (774)-239-3884, Fax: (508)-831-0592

MESSAGE:

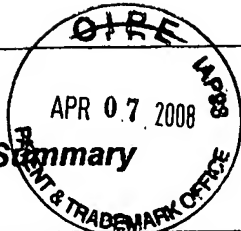
Thanks for your call of March 31, 2008 regarding you are sending a fax to the applicant (Application No.: 10/810,296), then amendment to the claim of the application by the applicant according to the fax and returning the amended claim to the Technical Center 1600 via the Central PTO Fax Center (571-273-8300) tomorrow.

I have not received the fax. Please find the following applicant's contact information: Fax: (508)-831-0592, Phone: (774)-239-3884 and Email: xingfwang@gmail.com.

I appreciate it if I may receive the fax soon. Please contact the applicant if there is any question regarding above-mention matter. Thank you.

NUMBER of PAGES: 1 (INCLUDING THIS COVER SHEET)

Office Action Summary



Application No.

10/810,296

Applicant(s)

WANG, XING FA

Examiner

Jason M. Sims

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 11-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

Applicant's After Final Amendment filed 11/27/2006 is acknowledged and has been entered.

Claims 1-18 are the current claims hereby under examination.

This application is in condition for allowance except for the following formal matters:

Claim Objections

Claims 11-18 are objected to under 37 CFR 1.75(c) as being in improper form because of improper multiple dependent claims. Each of claims 11-18 are in improper multiple dependent form. A claim can only reference one other claim or depend only from one other claim and claims referencing more than one claim or depending from more than claim are considered to be in improper multiple dependent form. For example, claim 11 references or depends from claim 1 and claims 2-10, which makes claim 11 an improper multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Allowable Subject Matter

Claims 1-10 are allowed.

Response to Arguments

Applicant's arguments and amendment, filed 11/27/2006, with respect to the rejection under 35 U.S.C. 101 have been fully considered and are persuasive. The rejection of claims 1-18 under 35 U.S.C 101 has been withdrawn.

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Conclusion

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Sims, whose telephone number is (571)-272-7540.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Irem Yucel can be reached via telephone (571)-272-0781.

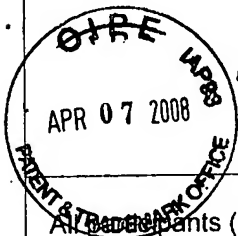
Papers related to this application may be submitted to Technical Center 1600 by facsimile transmission. Papers should be faxed to Technical Center 1600 via the Central PTO Fax Center. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1988), 1156 OG 61 (November 16, 1993), and 1157 OG 94 (December 28, 1993) (See 37.CFR § 1.6(d)). The Central PTO Fax Center number is (571)-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

// Jason Sims //

John S. Brusca 20 February 2007

JOHN S. BRUSCA, PH.D
PRIMARY EXAMINER



Interview Summary

Application No.

10/810,296

Applicant(s)

WANG, XING FA

Examiner

Jason M. Sims

Art Unit

1631

All participants (applicant, applicant's representative, PTO personnel):

(1) Jason M. Sims. (3) _____

(2) Xing Fa Wang. (4) _____

Date of Interview: 15 August 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____

Claim(s) discussed: 1-18.

Identification of prior art discussed: _____

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Possible amendments to the claims, i.e. changing the dependencies of claims 3-10 to depend from each other, such as making claim 3 depend from claim 2, claim 4 depend from claim 3, etc. and then changing the claim dependencies of claims 12-16 to depend from claim 10 was discussed to overcome the new antecedent basis and multiple dependency problems to get the instant application in condition for allowance.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

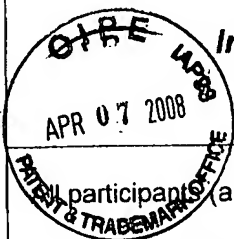
THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

LORI A. CLOW, PH.D.
PRIMARY EXAMINER

Lori A. Clow
8/20/07

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

[Signature]
Examiner's signature, if required



Interview Summary

Application No.

10/810,296

Applicant(s)

WANG, XING FA

Examiner

Jason M. Sims

Art Unit

1631

All participants (applicant, applicant's representative, PTO personnel):

(1) Jason M. Sims.

(3) _____

(2) Xing Fa Wang.

(4) _____

Date of Interview: 12 December 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____

Claim(s) discussed: 1 and 2.

Identification of prior art discussed: _____

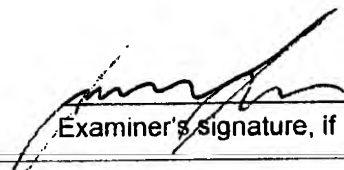
Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: An incoming fax of proposed amendments was discussed with another agreement that the original proposed amendments presented by the office was agreed to by the applicant which placed the application in better condition for allowance.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.


Examiner's signature, if required